

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

LILLIAN HAMPTON, KELLY MCKEON,
AND JEN MACLEOD

Plaintiff

Case Number

vs.

1:21-cv-01882

NURTURE, INC., d/b/a Happy Family
Organics and Happy Baby Organics

Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

Nicole Stewart, Shannon Fitzgerald, and
Summer Apicella, on behalf of themselves
and all others similarly situated

Plaintiff

Case Number

vs.

1:21-cv-01217

Nurture, Inc.

Defendant

Status of Earlier Filed Case:

☐

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

☒

Open

(If so, set forth procedural status and summarize any court rulings.)

The Complaint was filed on 02/10/2021 and modified to correct a filing error on 02/11/2021. An electronic Summons was issued on 02/12/2021. There have been no substantive rulings in this matter thus far.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

Both class actions challenge the deceptive business practices of Defendant, Nurture, Inc. The complaints each allege that Nurture, Inc. sold baby food products that were tainted with dangerous levels of toxic heavy metals and misrepresented and omitted the presence of these toxic heavy metals.

Plaintiffs in each action seek injunctive and monetary relief on behalf of the proposed classes including, but not limited to:
requiring a corrective advertising campaign and corrective labeling and restoring monies to the members of the proposed Classes.

NOTE: Two other related cases, challenging the same conduct, have also been filed:
1:21-cv-01271-MKV (Complaint Filed: 02/11/2021); and
1:21-cv-01473-MKV (Complaint Filed: 02/18/2021).

Signature:

Kevin LandauDate: **03/04/2021**

Taus, Cebulash & Landau, LLP

Firm: